

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11279 of 2016**

Arising Out of PS.Case No. -270 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

Nirala Bhagat Son of Asarfi Bhagat Resident of village - Barji P.S.  
Motipur, District - Muzaffarpur

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner : Mr. Nitu Kumari, Advocate

For the Opposite Party : Mr. Arvind Kr.Panday, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      25-04-2016      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in connection  
with Motipur P.S. Case No. 270 of 2015 for the offences instituted  
under Section 47(A) of the Indian Penal Code.

As per the prosecution case, it is a case of recovery of  
some spirit from the possession of the accused persons.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. Petitioner has been  
made accused due to mistake of fact. It is further submitted that  
the petitioner is ready to deposit an amount of Rs.20,000/- in the  
court below which shall be subject to the final disposal of the case.

On behalf of the State, it has been submitted that the

petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with **Motipur P.S. Case No. 270 of 2015** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned **SDJM, (West), Muzaffarpur**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

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